

# Wetlands Bureau Decision Report

Decisions Taken  
01/14/2013 to 01/20/2013

Review to  
MHS  
1/22/13

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2012-02815                      NH DEPT OF TRANSPORTATION**  
**EASTON   Reel Brook**

### Requested Action:

Install a reinforced concrete toe wall, add rip rap for pier and abutment protection, and rebuild the NW wing wall to maintain the existing bridge impacting 2,203 sq. ft. (1,171 sq. ft. temporary) of riverine wetlands.

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### APPROVE PERMIT:

Install a reinforced concrete toe wall, add rip rap for pier and abutment protection, and rebuild the NW wing wall to maintain the existing bridge impacting 2,203 sq. ft. (1,171 sq. ft. temporary) of riverine wetlands. NHDOT project #24000

### With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance signed 1/14/13, as received by the Department on Jan. 16, 2013.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

### With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2012-03108 MORIN, THOMAS**  
**ALTON Lake Winnepesaukee**

**Requested Action:**

Construct a 6 ft. x 30 ft. crib dock connected to an existing 4 ft x 40 ft pier accessed by a 4 ft x 8 ft walkway, cantilevered off a 40 ft. breakwater in an "I" configuration, with a 6 ft gap at the shoreline, by a 6 ft. x 12 ft. permanent walkway in a "U" shaped configuration on an average of 107 feet of shoreline frontage along Lake Winnepesaukee, in Alton.

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**Conservation Commission/Staff Comments:**

12/03/2012 Con. Com. requests DES suspend action for 45 days or until receiving report from the Con.Com.

12/18/12 Con. Com. has no objection to project.

**APPROVE PERMIT:**

Construct a 6 ft. x 30 ft. crib dock connected to an existing 4 ft x 40 ft pier accessed by a 4 ft x 8 ft walkway, cantilevered off a 40 ft. breakwater in an "I" configuration, with a 6 ft gap at the shoreline, by a 6 ft. x 12 ft. permanent walkway in a "U" shaped configuration on an average of 107 feet of shoreline frontage along Lake Winnepesaukee, in Alton.

**With Conditions:**

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revision dated January 16, 2013, as received by the Department on January 16, 2013.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures were inaccurately depicted on the plans submitted by the applicant.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain the size, location and configuration of the existing and permitted structures.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for maintenance dredging.
8. The dock shall not extend more than 30 ft lakeward at full lake elevation of 504.32.
9. The maximum size of cribs shall not exceed 6 feet long by 6 feet wide and of such height as necessary to support the docking structure above the water level.
10. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
11. The minimum clear spacing between cribs shall be 12 feet.
12. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This project is classified as a major project per Rule Env-Wt 303.02(j), modification of a docking structure adjacent to a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.07,

Breakwaters.

3. This is an island property on Lake Winnepesaukee.
4. The applicant has an average of 107 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
6. The proposed docking facility will provide 2 slips as defined per Rule Env-Wt 101.09 Boat slip, and therefore meets Rule Env-Wt 402.13.

-Send to Governor and Executive Council-

## MINOR IMPACT PROJECT

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**2012-03118                      CHARLES CLEMENT III REV TRUST**  
**WOLFEBORO   Lake Winnepesaukee**

### Requested Action:

Install a 6 ft. x 30 ft. seasonal dock to be connected to an existing 6 ft. x 44 ft. seasonal dock by a 4 ft. x 17 ft. 6 in. seasonal walkway in an "h" shaped configuration, install a seasonal boatlift in the center slip with a 12 ft. x 28 ft. seasonal canopy on a average of 201 feet of shoreline frontage along Lake Winnepesaukee, in Wolfeboro.

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### Conservation Commission/Staff Comments:

No comments from Con Com by Dec 19, 2012

### APPROVE PERMIT:

Install a 6 ft. x 30 ft. seasonal dock to be connected to an existing 6 ft. x 44 ft. seasonal dock by a 4 ft. x 17 ft. 6 in. seasonal walkway in an "h" shaped configuration, install a seasonal boatlift in the center slip with a 12 ft. x 28 ft. seasonal canopy on a average of 201 feet of shoreline frontage along Lake Winnepesaukee, in Wolfeboro.

### With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated August 15, 2012, as received by the NH Department of Environmental Services (DES) on November 30, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 44 feet from the shoreline at full lake elevation.
6. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
7. The seasonal boatlift shall be removed from the lake for the non-boating season.
8. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

### With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slip docking system.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 201 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2013-00065                      MULDOON, LAWRENCE & KATHLEEN**  
**MEREDITH   Waukegan Lake**

**Requested Action:**

Retain an existing 6 ft. x 30 ft. seasonal dock connected to a 6 ft. x 4 ft. concrete pad and repair an existing 14 ft. 4 in. x 22 ft. 5 in. boathouse on an average of 199 feet of shoreline frontage along Lake Waukegan, in Meredith.

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**Conservation Commission/Staff Comments:**

Con Com did not sign PBN form

**APPROVE PERMIT:**

Retain an existing 6 ft. x 30 ft. seasonal dock connected to a 6 ft. x 4 ft. concrete pad and repair an existing 14 ft. 4 in. x 22 ft. 5 in. boathouse on an average of 199 feet of shoreline frontage along Lake Waukegan, in Meredith.

**With Conditions:**

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants revision dated January 15, 2013, as received by the NH Department of Environmental Services (DES) on January 16, 2013.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. The seasonal pier shall be removed from the lake for the non-boating season.
10. No portion of the seasonal pier shall extend more than 30 feet from the shoreline at full lake elevation.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system that exceeds the criteria for minimum impact docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

5. The applicant has an average of 199 feet of shoreline frontage along Lake Waukegan.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. File # 2012-1971 was a Permit by Notification requesting to modify an existing seasonal pier. Although the Notification was deemed complete it was invalid due to the fact that it indicated the existing boathouse was only a shed. This approval corrects this error and accepts the modified seasonal dock as a legally constructed structure.

## MINIMUM IMPACT PROJECT

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2012-02941  
CAMPTON

LUCAS, JANET

### Requested Action:

Impact 3,800 square feet of poorly drained wetlands for the construction of a wildlife pond.

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### APPROVE PERMIT:

Impact 3,800 square feet of poorly drained wetlands for the construction of a wildlife pond.

### With Conditions:

1. All work shall be in accordance with the plan and construction sequence by Stoney Ridge Environmental LLC as received by the Department on January 16, 2013.
2. Appropriate erosion/siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
4. Precautions shall be taken to limit unnecessary removal of vegetation adjacent to the pond.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Machinery shall be staged and refueled in upland areas.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
9. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04 (p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact, provided: None of the wetlands have very poorly drained soil as defined in Env-Ws 1002.84; (2) There are no streams into or out of the proposed pond site; (3) The project is not located in prime wetlands; and (4) The project does not meet the requirements of Env-Wt 303.02(k).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. No very poorly drained soils will be impacted.
5. A 900 square foot emergent wetland zone will be planted with *Iris versicolor*, *Pontederia cordata*, and *Sagittaria latifolia*.
6. No comments were submitted from the Conservation Commission, NHFG Nongame and Endangered Wildlife Program, or the Natural Heritage Bureau.

**FORESTRY NOTIFICATION**

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**2013-00126                      HANCHETT, LARRY/LINDA**  
**MIDDLETON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Middleton, Tax Map #12, Lot #17

**2013-00130                      THE DERONDALE TRUST**  
**NEWBURY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Newbury, Tax Map #50, Lot #166, 200

**2013-00173                      CRATHERN FAMILY HOLDINGS LLC**  
**HOPKINTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hopkinton, Tax Map #228, Lot #23

**2013-00206                      DREIER, LESLIE**  
**BETHLEHEM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Bethlehem, Tax Map #M413, Lot #L46

**2013-00210                      NH DRED**  
**NOTTINGHAM   Unnamed Stream**

COMPLETE NOTIFICATION:

Nottingham, Tax Map #76

**2013-00212                    NH DRED**  
**DEERFIELD   Unnamed Stream**

Conservation Commission/Staff Comments:

Split town on one application - payment posted under file #2013-00210

COMPLETE NOTIFICATION:

Deerfield, Tax Map #418, Lot #52

**2013-00215                    WELLS III, GEORGE**  
**SUTTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Sutton, Tax Map #4, Lot #323, 231

**2013-00216                    CLAUDIA C MCILVAIN REVOCABLE TRUST**  
**SANDWICH   Unnamed Stream**

COMPLETE NOTIFICATION:

Sandwich, Tax Map #R8, Lot #4, 5

**2013-00217                    FREEDOM, TOWN OF**  
**FREEDOM   Unnamed Stream**

COMPLETE NOTIFICATION:

Freedom, Tax Map #6, Lot #2

**2013-00218                    CONDE, JOHN**  
**NORTHFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:

Northfield, Tax Map #R11, Lot #L3

**2013-00230                    PALMITESTA, ROBERT**  
**BRADFORD   Unnamed Stream**

COMPLETE NOTIFICATION:

Bradford, Tax Map #5, Lot #93



**2013-00245                      BAYROOT LLC**  
**DIXVILLE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Dixville, Tax Map #1626, Lot #2, 9

**2013-00247                      BAYROOT LLC**  
**ATK GIL GRANT   Unnamed Stream**

COMPLETE NOTIFICATION:  
Atkinson & Gilmanton Academy Grant, Tax Map #1628, Lot #2

**2013-00249                      BAYROOT LLC**  
**PITTSBURG   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pittsburg, Tax Map #A8, Lot #0435

**2013-00254                      LALUMIERE, ELAINE/RENE**  
**JEFFERSON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Jefferson, Tax Map #11, Lot #10

**2013-00262                      FREEDOM REALTY TRUST**  
**FREEDOM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Freedom, Tax Map #8, Lot #4

**2013-00263                      COUGHLIN, DAVID**  
**BEDFORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Bedford, Tax Map #34, Lot #15

**EXPEDITED MINIMUM**

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**2012-02503                      CANTU, RICARDO**  
**BARRINGTON   Oyster River**

Requested Action:

Replace an existing undersized and perched culvert with a open bottom bridge located on the mainstem of the Oyster River in order to restore natural stream channel processes and restore fish passage. A temporary traffic bypass road will be built with box culverts downstream of the existing structure for a total of 4,250 sq.ft. of temporary impact and 622 sq.ft. of permanent impact. The project is being funded by an Aquatic Resource Mitigation Fund grant.

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APPROVE PERMIT:

Replace an existing undersized and perched culvert with a open bottom bridge located on the mainstem of the Oyster River in order to restore natural stream channel processes and restore fish passage. A temporary traffic bypass road will be built with box culverts downstream of the existing structure for a total of 4,250 sq.ft. of temporary impact and 622 sq.ft. of permanent impact. The project is being funded by an Aquatic Resource Mitigation Fund grant.

With Conditions:

1. All work shall be in accordance with plans by University of New Hampshire dated January 7, 2013 as received by the NH Department of Environmental Services (DES) on January 9, 2013.
2. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with DES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Work shall be done during low flow.
7. Temporary culverts and road shall be removed and area regraded to original contours following completion of new crossing.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of degraded aquatic resources that is provided funding from the Aquatic Resource Mitigation Fund.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 903.03 and 904.01 have been addressed in the design of the project.
6. The project is endorsed by the NH Fish and Game Department and NH Heritage Bureau as it will ultimately restore fish passage for all species of resident and migratory fish and other aquatic life listed as threatened or endangered.
7. Replacement of the Emerald Drive culvert with a bridge will restore the natural sediment transport characteristics to the stream and guarantee freedom of movement for all aquatic organisms, including the American brook lamprey, brook trout, and American eel.
8. The project is supported by the Oyster River Local Advisory Committee as this culvert replacement will provide substantial benefit to the Oyster River and provide a more natural passage of the river for fish and other aquatic wildlife.

Requested Action:

Fill 1,300 sq. ft. of wetland and install a 32 ft. x 24 in. culvert to construct a driveway to serve a single-family residential lot.

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APPROVE PERMIT:

Fill 1,300 sq. ft. of wetland and install a 32 ft. x 24 in. culvert to construct a driveway to serve a single-family residential lot.

With Conditions:

1. All work shall be in accordance with revised plans by Fernstone Associates dated January 8, 2013, as received by the NH Department of Environmental Services (DES) on January 11, 2012.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that wetland impacts are necessary to access uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that the wetland crossing proposed will provide direct access to the property for a proposed modular home.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau ("NHB") has no record of any sensitive species present within the vicinity of the project area.
5. The Wakefield Conservation Commission signed the expedited application and has no objection to the permitting of the proposed work.
6. On October 11, 2012, Fernstone Associates, the applicant's agent, sent a letter to abutter Charles Bria notifying him that the owners, Richard and Sandra Linscott, of the property have submitted a Wetlands Bureau Application. The letter further states that the application is on file at the Wakefield Town Hall and at the office of the DES. On November 5, 2012, DES received a copy of a letter that abutter Charles Bria objected to the Fernstone Associates letter of October 11, 2012. Mr. Bria asserts that the applicant's property is owned by Mr. Bria. Further, Mr. Bria asserts that the application is not on file at the Wakefield Town Hall.
7. On January 11, 2013, DES received documentation confirming that Richard and Sandra Linscott own the subject property located on Long Ridge Road more particularly described on Wakefield Tax Map 85 as Lot 1. Documentation included a copy of their deed to the property recorded at the Carroll County Registry of Deeds as Book 2619 Page 358 and a copy of the Wakefield tax card.
8. On January 11, 2013, DES received documentation confirming that the Town of Wakefield - Office of the Town Clerk had received the DES Wetlands Bureau application for the Linscott property, Tax Map 85 as Lot 1, on October 23, 2012 and is currently on file.

Requested Action:

Replace an existing 25 ft. x 26 ft. two story boathouse with a 23 ft. x 25 ft. 6 in. two story boathouse in the same location and remove the center pier separating the 2 interior boat slips on an average of 295 ft of frontage along Martin Meadow Pond, in Lancaster.

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Conservation Commission/Staff Comments:

Shoreland App. rec'd 10/29/12, 2012-02895

APPROVE PERMIT:

Replace an existing 25 ft. x 26 ft. two story boathouse with a 23 ft. x 25 ft. 6 in. two story boathouse in the same location and remove the center pier separating the 2 interior boat slips on an average of 295 ft of frontage along Martin Meadow Pond, in Lancaster.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering as received by the NH Department of Environmental Services (DES) on December 18, 2012 and sheet C-3 received January 14, 2013.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures except as noted on the plans.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(o).
2. The slight modification proposes to reduce the overall building size.

**GOLD DREDGE**

\*\*\*\*\*

**2013-00203                      LEMOINE, KEVIN**  
**(ALL TOWNS)    Unnamed Stream**

Conservation Commission/Staff Comments:

cc Bath ConCom

**LAKES-SEASONAL DOCK NOTIF**

\*\*\*\*\*

**2013-00214                      ANDERSON, GRANT**  
**FREEDOM   Danforth Pond**

Requested Action:  
Installation of a seasonal docking structure.  
\*\*\*\*\*

COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure.

With Findings:  
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), Installation of a seasonal docking structure.

**2013-00221                      HOKANSON, ERIKA**  
**CROYDON   Rockybound Pond**

Requested Action:  
Installation of a seasonal docking structure.  
\*\*\*\*\*

COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure.

With Findings:  
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), Installation of a seasonal docking structure.

**2013-00235                      CLARK, SUSAN**  
**STEWARTSTOWN   Big Diamond Pond**

Requested Action:  
Installation of a seasonal docking structure.  
\*\*\*\*\*

COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure.

With Findings:  
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), Installation of a seasonal docking structure.

**PERMIT BY NOTIFICATION**

\*\*\*\*\*

**2012-02869**                      **CIMIKOSKI, WILLIAM**  
**GILMANTON IRON WORKS**   **Crystal Lake**

**Requested Action:**

Applicant requests reconsideration of the Department's decision to disqualify the Permit By Notification submitted to repair or replace an existing retaining wall that meets the criteria in Env-Wt 303.04(c).

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com did not sign PBN form

**DENY RECONSIDERATION:**

Reconsider and deny the applicant's reconsideration request to repair or replace an existing retaining wall that meets the criteria in Env-Wt 303.04(c).

**With Findings:**

Standards for Approval

1. In accordance with RSA 482-A:10,III. "On reconsideration, the department shall receive and consider any new and additional evidence presented".

**Findings of Fact**

1. On October 25, 2012 the Wetlands Bureau received a Permit by Notification form for project type 12, "Repair or replacement of an existing retaining wall that meets the criteria in Env-Wt 303.04(c). Must also see Wt 304.04(a) & (b)."
2. The proposal included the construction of a two new walls on the frontage. The proposal did not include evidence of pre-existing walls on the frontage.
3. The Department disqualified the Permit by Notification on November 27, 2012 with findings the proposed work did not meet the criteria for repair of existing structures with no change in height, length, location, or configuration.
4. The applicant submitted a letter to the Department on December 26, 2012, via email appealing the Departments decision to disqualify the Permit by Notification form. This letter stated the Department misunderstood the proposed project. There were no new plans or photographs submitted with the appeal to document the alleged pre-existing walls.

**Rulings in Support of Denial**

1. The applicant did not submit any new information with the request for reconsiderations, therefore in accordance with RSA 482-A:10, the decision to deny the application is reaffirmed with the original findings.

**2012-03267**                      **CLARK, JASON**  
**ALTON**   **Lake Winnepesaukee**

**Requested Action:**

Repair of existing docking structures with no change in size, location or configuration, install a seasonal boatlift and install 2 PWC lifts.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com signed PBN form

**PBN IS COMPLETE:**

Repair of existing docking structures with no change in size, location or configuration, install a seasonal boatlift and install 2 PWC lifts.

**With Findings:**

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**CSPA PERMIT**

\*\*\*\*\*

**2012-01488                      NAZZARO, GEORGE**  
**WOLFEBORO   Lake Wentworth**

**Requested Action:**

Amendment Description: Revised plans to modify footprint of existing and place on foundation, enlarge grage,, modify driveway, relocate gazebo.

\*\*\*\*\*

**APPROVE AMENDMENT:**

Impact 2,189 sq ft in order to modify existing, house, relocate and install a foundation, replace existing garage, modify driveway, and install a septic system.

**With Conditions:**

1. All work shall be in accordance with revised plans by Fernstone Associates dated December 26, 2012 and received by the NH Department of Environmental Services (DES) on December 28, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 20.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 1,975 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-02895                      STOWELL JR, COLLES**  
**LANCASTER   Martin Meadow Pond**

**Requested Action:**

Impact 4,706 sq ft in order to access the shorefront to replace an existing boathouse per Wetlands Approval # 2012-02894.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 4,706 sq ft in order to access the shorefront to replace an existing boathouse per Wetlands Approval # 2012-02894.

**With Conditions:**

1. All work shall be in accordance with plans by Horizons Engineering dated November 2012 and received by the NH Department of Environmental Services (DES) on November 20, 2012.
2. No more than 4.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 5,236 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Upon completion of work, a qualified consultant shall inspect the restoration area and submit an initial monitoring report with photographs to DES within 14 days of the completed project. The initial monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report. Photographs should depict all stages of restoration sequencing.
7. A subsequent monitoring report shall be submitted to DES following 1 growing season to document the success of the restoration and outline a schedule for remedial actions if necessary. The report shall be submitted to DES with photographs demonstrating the conditions on the restoration site, include any necessary remedial actions, and contain a schedule for completing the remedial actions and conducting follow up inspections.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**With Findings:**

1. The applicant has been granted a waiver to temporarily impact the waterfront buffer in order to replace and existing boathouse. The applicant proposes to restore the waterfront buffer upon completion as required in RSA 483-B:9.

**2012-03162**

**WADLEIGH, KARLENE**

**DEERFIELD Northwood Lake**

**Requested Action:**

Impact 2,633 sq ft to install a patio, pervious pavers for driveway, and a temporary access road toward the reference line for repair of retaining wall under a wetlands permit.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 2,633 sq ft to install a patio, pervious pavers for driveway, and a temporary access road toward the reference line for repair of retaining wall under a wetlands permit.

**With Conditions:**

1. All work shall be in accordance with plans by Polluck Land Planning LLC dated November 4, 2012 and received by the NH Department of Environmental Services (DES) on December 20, 2012.
2. All actions associated with the repair of the retaining wall within the wetland jurisdiction shall require a wetlands permit prior work.



3. No more than 23.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-03332

**THE TRUSTEES OF THE SCOTT FARRAR HOME**

**PETERBOROUGH Nubanusit Brook**

**Requested Action:**

Impact 115,235 sq ft in order to replace an existing facility with a 73,000 sq ft retirement community.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 115,235 sq ft in order to replace an existing facility with a 73,000 sq ft retirement community.

**With Conditions:**

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated December 12, 2012 and received by the NH Department of Environmental Services (DES) on December 28, 2012.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. No more than 15.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 22,456 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**UTILITY NOTIFICATION**

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2013-00186

**PSNH**

**JAFFREY Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

**COMPLETE NOTIFICATION:**

Vegetative maintenance on the 382X2 and 313 lines.

**2013-00187                      PSNH**  
**LOUDON   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on teh 319 line.

**2013-00188                      PSNH**  
**MEREDITH   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 346 line.

**2013-00189                      PSNH**  
**MOULTONBOROUGH   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 346 line.

**2013-00190                      PSNH**  
**NEWFIELDS   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 3191 line.

**2013-00191                      PSNH**  
**NORTHWOOD   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 3137X line.

**2013-00192                      PSNH**  
**NEWMARKET   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 3191 line.

**2013-00193                      PSNH**  
**OSSIPEE   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 346 and 390 lines.

**2013-00194                      PSNH**  
**PETERBOROUGH   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 313 line.

**2013-00195                      PSNH**  
**PLYMOUTH   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 342 A & B lines.

**2013-00196                      PSNH**  
**PITTSFIELD   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 319 & 3137X lines.

**2013-00197                      PSNH**  
**ROLLINSFORD   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 32, 371 & 3148 lines.

**2013-00198                      PSNH**  
**RYE   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 3105 line.

**2013-00199                      PSNH**  
**STRATFORD   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 355 line.

**2013-00200                      PSNH**  
**SOMERSWORTH   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 32, 371 lines.

**2013-00201                      PSNH**  
**SHELBURNE   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 350 line.

**2013-00222                      PSNH**  
**STEWARTSTOWN   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 350 line.

**2013-00223                      PSNH**  
**SUTTON   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 317 line.

**2013-00224                      PSNH**  
**TUFTONBORO   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 346 & 390 lines.

**2013-00225                      PSNH**  
**WILTON   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 314 line.

**2013-00226                      PSNH**  
**WARNER   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 13-00004 for fee.

COMPLETE NOTIFICATION:  
Vegetative maintenance on the 317 line.

**2013-00228                      PSNH**  
**WEBSTER   Unnamed Wetland**

Conservation Commission/Staff Comments:

See file 13-00004 for fee.

COMPLETE NOTIFICATION:

Vegetative maintenance on the 317 line.

**2013-00229**

**PSNH**

**WOLFEBORO Unnamed Wetland**

Conservation Commission/Staff Comments:

See file 13-00004 for fee.

COMPLETE NOTIFICATION:

Vegetative maintenance on the 390 line.